IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.357 OF 2006
IN
NOTICE OF MOTION NO.1022 OF 2006
IN
SUIT NO.895 OF 2006

Jainarayan Ratiram Agarwal
& Anr. ..Appellants.
(Orig.Plffs.)

Vs.

Sevaram Ratiram Agarwal
& Ors. ..Respondents.
(Orig.Defts.)

Mrs.Veena Thadani for the Appellants.
Mr.D.B.Sawant for Respondent Nos.1 and 2.
Mr.Yogesh R. Israni for Respondent Nos.3 to 20.

CORAM: DR.S.RADHAKRISHNAN AND
S.J.VAZIFDAR, JJ.

DATED: 4TH MAY, 2006

P.C. :

1. Heard learned counsel for the Appellant and the Respondents.

2. Appeal is admitted. Counsel for the Respondents waives service.

3. By this Appeal, the Appellant is challenging the order dated 29.3.2006 whereby the learned Single Judge has refused the ad-interim reliefs.

4. After hearing the parties for some time, both the

learned counsel agree that Court Receiver, High Court, Bombay, can be appointed as Receiver during the pendency of the above Notice of Motion, of the liquor business.

5. The Appellant is allowed to continue to carry on the said business as an agent of the Receiver, however, without any royalty or security. The Court Receiver shall get the liquor licence renewed and, in that behalf, the learned counsel for the Respondents states that the Respondents will co-operate the Court Receiver to enable the Receiver to get the licence renewed.

6. The Respondents are at liberty to move the learned Single Judge for expeditious hearing of the Notice of Motion.

7. Appeal stands disposed of accordingly.

Parties to act on an authenticated copy of this order.

(DR.S.RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)